

## NOTICES OF HEARINGS

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs is re-scheduling their September 13, 2000 hearing to September 14, 2000, in the Russell Senate Office Building room number 485, at 3:30 p.m. on S. 2899, a bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians. Immediately following the hearing will be a business meeting where S. 2920, a bill to amend the Indian Gaming Regulatory Act, S. 2688, a bill to amend the Native American Languages Act, and S. 2899, a bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians, will be considered.

## SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Tuesday, September 19, 2000 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the following bills: H.R. 3577, To increase the amount authorized to be appropriated for the north side pumping division of the Minidoka reclamation project, Idaho; S. 2906, To authorize the Secretary of the Interior to enter into contracts with the city of Loveland, Colorado to use Colorado-Big Thompson Project facilities for the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes; S. 2942, To extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia; S. 2951, To authorize the Commission of Reclamation to conduct a study to investigate opportunities to better manage the water resources in the Salmon Creek watershed of the Upper Columbia River; and S. 3022, To direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC, 20510-6150.

For further information, please call Trici Heninger, Staff Assistant, or Colleen Deegan, Counsel, at (202) 224-8115.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. ROTH. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Tuesday, September 12, 2000. The purpose of this hearing will be to review the operation of the Office of Civil Rights, USDA, and the role of the Office of General Counsel, USDA.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROTH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, September 12, 2000, at 9:30 a.m. on Firestone tire recall.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ROTH. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, September 12, at 9:30 a.m. to conduct a hearing on proposed U.S. Department of Transportation regulations on planning and environment.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE ON FOREIGN RELATIONS

Mr. ROTH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 12, 2000 at 9:30 a.m. to hold a hearing (agenda attached).

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. ROTH. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, September 12, 2000, to conduct a hearing on "congressional proposals impacting F.H.A. reserves."

The PRESIDING OFFICER. Without objection, it is so ordered.

## SUBCOMMITTEE ON WATER AND POWER

Mr. ROTH. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, September 12 at 2:30 p.m. to conduct an oversight hearing. The subcommittee will receive testimony on the status of the Biological Opinions of the National Marine Fisheries Service and the U.S. Fish and Wildlife Service on the operations of the Federal hydropower system of the Columbia River.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Marty Gensler, who is a fellow in my office, have floor privileges during the rest of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE APPOINTMENTS

Mr. THOMPSON. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 354 submitted earlier by Senator LOTT and Senator DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 354) amending paragraphs 2 and 3(a) of Rule XXV and providing for Senator appointments to the Agriculture, Nutrition, and Forestry Committee, the Banking, Housing, and Urban Affairs Committee, the Finance Committee, the Small Business Committee, and the Veterans' Affairs Committee.

There being no objection, the Senate proceeded to the immediate consideration of the resolution.

Mr. THOMPSON. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 354) was agreed to, as follows:

## S. RES. 354

*Resolved*, That notwithstanding any other provision of Rule XXV, paragraph 2 of Rule XXV of the Standing Rules of the Senate is amended as follows:

Strike the figure after "Agriculture, Nutrition, and Forestry" and insert in lieu thereof "20".

Strike the figure after "Banking, Housing, and Urban Affairs" and insert in lieu thereof "22".

SEC. 2. That Rule XVV, paragraph 3(a) of the Standing Rules of the Senate is amended as follows:

Strike the figure after "Veterans' Affairs" and insert in lieu thereof "14".

SEC. 3. That on the Committee on Agriculture, Nutrition, and Forestry, the Senator from Oregon (Mr. SMITH) is hereby appointed to serve as a majority member; that the Senator from Georgia (Mr. MILLER) is hereby appointed to serve as a minority member; and that the Majority Leader is hereby authorized to appoint one majority member to that committee.

SEC. 4. That on the Committee on Banking, Housing, and Urban Affairs, the Senator from Georgia (Mr. MILLER) is hereby appointed to serve as a minority member, and that the Majority Leader is hereby authorized to appoint one majority member to that committee.

SEC. 5. That on the Committee on Finance, the Senator from Idaho (Mr. CRAIG) is hereby appointed to serve as a majority member.

SEC. 6. That on the Committee on Small Business, the Majority Leader is hereby authorized to appoint one majority member to that committee.

SEC. 7. That on the Committee on Veterans' Affairs, the Senator from Georgia (Mr. MILLER) is hereby appointed to serve as a minority member, and that the Majority Leader is hereby authorized to appoint a majority member to that committee.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NOS. 106-46 AND 106-47

Mr. THOMPSON. I ask unanimous consent that the Injunction of Secrecy be removed from the following treaties transmitted to the Senate on September 12, 2000, by the President of the United States: Protocol Amending Investment Treaty with Panama (Treaty Document 106-46); and Investment Treaty with Azerbaijan (Treaty Document 106-47).

I further ask that the treaties be considered as having been read the first time, that they be referred with accompanying papers to the Committee on Foreign Relations in order to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Protocol Between the Government of the United States of America and the Government of the Republic of Panama Amending the Treaty Concerning the Treatment and Protection of Investments of October 17, 1982. This Protocol was signed at Panama City, on June 1, 2000. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Protocol.

The 1982 bilateral investment treaty with Panama (the "1982 Treaty") was the second treaty to be signed under the U.S. bilateral investment treaty (BIT) program. The 1982 Treaty protects U.S. investment and assists Panama in its efforts to develop its economy by creating conditions more favorable for U.S. private investment and thereby strengthening the development of its private sector.

As explained in the Department of State's report, the Protocol is needed in order to ensure that investors continue to have access to binding international arbitration following Panama's 1996 accession to the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States, done at Washington, March 18, 1965 (the "ICSID Convention"). The Protocol provides each Party's consent to international arbitration of investment disputes under the 1982 Treaty before the International Centre for the Settlement of Investment Disputes, established under the ICSID Convention. The Protocol also provides for arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law. The Protocol thus

facilitates the use of such procedures by investors of the Parties to resolve investment disputes under the 1982 Treaty. The Protocol also sets forth each Party's consent to ICSID Additional Facility arbitration, if Convention Arbitration is not available. Convention Arbitration would not be available, for example, if either Party subsequently ceased to be a party to the ICSID Convention.

I recommend that the Senate consider this Protocol as soon as possible, and give its advice and consent to ratification of the Protocol at an early date.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, September 12, 2000.

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Republic of Azerbaijan Concerning the Encouragement and Reciprocal Protection of Investment, with Annex, signed at Washington on August 1, 1997, together with an amendment to the Treaty set forth in an exchange of diplomatic notes dated August 8, 2000, and August 25, 2000. I transmit also, for the information of the Senate, the report of the Department of State with respect to this Treaty.

The Bilateral Investment Treaty (BIT) with Azerbaijan is the fourth such treaty signed between the United States and a Transcaucasian or Central Asian country. The Treaty will protect U.S. investment and assist Azerbaijan in its efforts to develop its economy by creating conditions more favorable for U.S. private investment and thereby strengthening the development of its private sector.

The Treaty furthers the objectives of U.S. policy toward international and domestic investment. A specific tenet of U.S. policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment. Under this Treaty, the Parties also agree to customary international law standards for expropriation. The Treaty includes detailed provisions regarding the computation and payment of prompt, adequate, and effective compensation for expropriation; free transfer of funds related to investments; freedom of investments from specified performance requirements; fair, equitable, and most-favored-nation treatment; and the investor's freedom to choose to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this Treaty as soon as possible, and give its advice and consent to ratification of the Treaty at an early date.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, September 12, 2000.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the Senator from Texas (Mrs. HUTCHISON) as Chair of the Senate Delegation to the Mexico-U.S. Interparliamentary Union during the 106th Congress.

#### ORDERS FOR WEDNESDAY, SEPTEMBER 13, 2000

Mr. THOMPSON. I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, September 13. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 10 a.m., with the time equally divided between Senator THOMAS and Senator DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. THOMPSON. For the information of all Senators, at 9:30 a.m. tomorrow the Senate will be in a period of morning business until 10 a.m. Following morning business, there will be 60 minutes for closing remarks on two amendments: The Byrd amendment, regarding safeguards; and division 6 of the Smith amendment, No. 4129. Votes on those two amendments will be back to back at 11 a.m.

Senators should be aware that there are amendments currently pending to the PNTR bill and further amendments are expected to be offered. Therefore, votes are expected throughout the remainder of the week.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. THOMPSON. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:28 p.m., adjourned until Wednesday, September 13, 2000, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate September 12, 2000:

##### THE JUDICIARY

JOEL GERBER, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS AFTER HE TAKES OFFICE. (REAPPOINTMENT)

STEPHEN J. SWIFT, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS AFTER HE TAKES OFFICE. (REAPPOINTMENT)

STEVEN E. ACHELPOHL, OF NEBRASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA VICE WILLIAM G. CAMBRIDGE, RETIRED.

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 21: